

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **09/18/2008**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Weidner**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Econ. Development - bus. dev.**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

---

### **Pre Topic:**

DOA:.....Weidner, BB0017 -

---

### **Topic:**

Loan origination fee expansion

---

### **Instructions:**

See attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	csundber 09/22/2008	jdye 09/23/2008		_____			
/1	csundber 01/26/2009	wjackson 01/26/2009	mduchek 09/23/2008	_____	cduerst 09/23/2008		State
/2	csundber 01/27/2009	wjackson 01/27/2009	jfrantze 01/27/2009	_____	sbasford 01/27/2009		State
/3	csundber	jdye	mduchek	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	01/30/2009	01/30/2009	01/28/2009 _____		01/28/2009		
/4			jfrantze _____ 01/30/2009 _____		sbasford 01/30/2009		

FE Sent For:

<END>

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/?	csundber 09/22/2008	<i>14 1/30 jld</i> jdye 09/23/2008					
/1	csundber 01/26/2009	wjackson 01/26/2009	mduchek 09/23/2008		cduerst 09/23/2008		State
/2	csundber 01/27/2009	wjackson 01/27/2009	jfrantze 01/27/2009		sbasford 01/27/2009		State
/3			mduchek <i>1/30</i>		sbasford <i>1/30</i>		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

01/28/2009 \_\_\_\_\_ 01/28/2009

FE Sent For:

<END>

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/2		13 WJ 1/27	jfrantze 01/27/2009		sbsford 01/27/2009		

FE Sent For:

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See attached

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/?	csundber 09/22/2008	jdye 09/23/2008					
/1		1/2 WJ 1/26	mduchek 09/23/2008		cdurst 09/23/2008		

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Loan origination fee expansion

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/?	csundber	1/9/23 jld	md 9/23	ond 9/23			

FE Sent For:

<END>



## 2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Loan Origination Fee Expansion
- Tracking Code: BB0017
- SBO team: General Government and Economic Development
- SBO analyst: Jenna Weidner
  - Phone: x 6-7329
  - Email: [jenna.weidner@wisconsin.gov](mailto:jenna.weidner@wisconsin.gov)
- Agency acronym: COM
- Agency number: 143
- Priority (Low, Medium, High): High

Intent: This 2% fee, which is authorized by 560.68 (3), is currently levied on Wisconsin Development Fund (WDF) awards of at least \$200,000. It brings in approximately \$50,000 each year. Commerce is proposing expanding that fee to awards equal to or exceeding \$100,000 in the Diesel Idling, Gaming, and WDF programs. In 2007, that expansion would have brought in \$270,000 in fees.



h: 9/22/08  
State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0276/3

CTS:.....  
jld

DOA:.....Weidner, BB0017 - Loan origination fee expansion✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.✓

don't gen

*Analysis by the Legislative Reference Bureau*

COMMERCE AND ECONOMIC DEVELOPMENT✓

percent

COMMERCE✓

Currently, the Department of Commerce may charge a recipient of a grant or loan a 2% fee if the grant or loan amount equals or exceeds \$200,000. This bill lowers the threshold amount to \$100,000.✓

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 560.68 (3) of the statutes is amended to read:✓

3 560.68 (3) The department may charge a grant or loan recipient an origination  
4 fee of not more than 2% of the grant or loan amount if the grant or loan equals or  
5 exceeds ~~\$200,000~~ \$100,000.✓ The department shall deposit all origination fees  
6 collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

7 History: 1987 a. 27; 1991 a. 39, 269; 1997 a. 27; 1999 a. 9; 2007 a. 20.

(END)



1/26/09  
State of Wisconsin  
2009 - 2010 LEGISLATURE

2  
LRB-0276/1  
CTS:jld:md

RMW/R



DOA:.....Weidner, BB0017 - Loan origination fee expansion

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

From the Wisconsin  
Development Fund

origination

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**

COMMERCE (Commerce)

Currently, the Department of Commerce may charge a recipient of a grant or loan a 2 percent fee if the grant or loan amount equals or exceeds \$200,000. This bill lowers the threshold amount to \$100,000.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2

**SECTION 1.** 560.68 (3) of the statutes is amended to read:

3

560.68 (3) The department may charge a grant or loan recipient an origination

4

fee of not more than 2% of the grant or loan amount if the grant or loan equals or

5

exceeds \$200,000 \$100,000. The department shall deposit all origination fees

6

collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

7

(END)

INS  
1-6

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0276/2ins

CTS:.....

1           **Insert A:**

Under current law, Commerce awards grants and makes loans to qualified businesses for economic diversification, brownfield remediation, and to businesses that have been negatively affected by a casino. Commerce also awards grants for specific economic development projects in specific locations in this state. The bill also also authorizes Commerce to collect a 2% origination fee on certain of these grants and loans of \$100,000 or more. and SP

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

2           **Insert 1-6:**

3           **SECTION 1- 20.143** (1) (gm) of the statutes is amended to read:

4           20.143 (1) (gm) *Wisconsin development fund, administration of grants and*  
5           *loans.* All moneys received from origination fees under s. ~~ss. 560.138 (3)~~ 560.138 (7),  
6           and 560.139 (4) STEP and 560.68 (3) plain for administering the programs under subch. V of ch. 560 and under  
7           ss. 560.138 and 560.139 and and for the costs of underwriting grants and loans awarded  
8           under subch. V of ch. 560 and under ss. 560.138 and 560.139. and

**History:** 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186; 2001 a. 16, 109; 2003 a. 33 ss. 292c to 297m, 593 to 600, 602 to 604; 2003 a. 255, 256; 2005 a. 25 ss. 150m to 156t, 331; 2005 a. 45, 358; 2007 a. 20, 125, 225; s. 13.92 (2) (i).

9           **Insert 1-6:**

10           **SECTION 2- 560.138** (7) of the statutes is created to read:

11           560.138 (7) The department may charge the recipient of a grant or loan under  
12           this section an origination fee of not more than 2% of the grant or loan amount if the SP  
13           grant or loan equals or exceeds \$100,000. The department shall deposit all  
14           origination fees collected under this subsection to in the appropriation account under  
15           s. 20.143 (1) (gm). ✓

16           **SECTION 3. 560.139** (4) of the statutes is created to read:

17           560.139 (4) **ORIGINATION FEE.** The department may charge the recipient of a  
18           grant or loan under sub. (1) (a), (2), or (3) an origination fee of not more than 2% of the grant SP

- 1 or loan amount if the grant or loan equals or exceeds \$100,000. The department shall
- 2 deposit all origination fees collected under this subsection <sup>to</sup> ~~in~~ the appropriation
- 3 account under s. 20.143 (1) (gm).↓

**Sundberg, Christopher**

---

**From:** Weidner, Jenna M - DOA [Jenna.Weidner@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 8:41 PM  
**To:** Sundberg, Christopher  
**Cc:** Pawasarat, Jane - DOA  
**Subject:** RE: LRB-0276 Loan Origination Fees

Ok, not to be confusing, but I now see that you created an appropriation in LRB 1578 pg 5, line 5 that is intended to collect the origination fee charged on grants and loans for the Forward Innovation Fund. Could we delete that new appropriation and (as noted in my email below) direct the origination fees for the Forward Innovation Fund to 1 (gm), and simplify the title of 1 (gm) to "Administration of grants and loans" so it works for all these programs?

Thanks,  
 Jenna

---

**From:** Weidner, Jenna M - DOA  
**Sent:** Monday, January 26, 2009 1:19 PM  
**To:** Sundberg, Christopher - LEGIS  
**Cc:** Pawasarat, Jane - DOA  
**Subject:** RE: LRB-0276 Loan Origination Fees

Perfect! Also, 1 (gm) should collect the fees assessed on the Forward Innovation Fund grants and loans (see LRB# 1578 pg 14, line 18-21). Also, the threshold amount on LRB# 1578 pg 14, line 20 should be changed to \$100,000 to be consistent with the WDF. Thank you!!!

---

**From:** Sundberg, Christopher [mailto:Christopher.Sundberg@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 1:13 PM  
**To:** Weidner, Jenna M - DOA  
**Subject:** RE: LRB-0276 Loan Origination Fees

I think I got it: the draft I did lowers the threshold grant or loan amount that is subject to the 2% fee, but it does so only for WDF grants and loans. Now, I'm going to add a similar provisions to allow Commerce to collect a fee on grants under 560.138 (Gaming economic diversification grants and loans) and 560.139 (1) (a), (2) (a), and (3) (Economic development grants), which are funded by the (kj) approp. The fees collected under the added provisions are to be deposited in the same approp. (gm) that receives the fees currently assessed for WDF grants and loans.

Right?

---

**From:** Weidner, Jenna M - DOA [mailto:Jenna.Weidner@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 12:06 PM  
**To:** Sundberg, Christopher  
**Cc:** Pawasarat, Jane - DOA  
**Subject:** RE: LRB-0276 Loan Origination Fees

The revenue from both of these expansions (WDF and gaming) should be deposited into the new PR appropriation under 20.143 (1)(gm). I just wanted to make sure that there was language allowing origination fees to be collected on grants and loans over \$100,000 given out from 1 (kj) as well as grants between \$100,000 and \$199,999 given out from 1 (c). Does that make sense?

---

**From:** Sundberg, Christopher [mailto:Christopher.Sundberg@legis.wisconsin.gov]

01/27/2009



1u: 1/27/09  
**State of Wisconsin**  
**2009 - 2010 LEGISLATURE**

3  
LRB-0276/2 RMNR

CTS:jld&wlj:jf

stays

DOA:.....Weidner, BB0017 - Loan origination fee expansion

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1

*Do Not Gen*  
**AN ACT ...; relating to:** the budget.

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***Analysis by the Legislative Reference Bureau***  
**COMMERCE AND ECONOMIC DEVELOPMENT**

**COMMERCE**

Currently, the Department of Commerce (Commerce) may charge a recipient of a grant or loan from the Wisconsin development fund a 2 percent origination fee if the grant or loan amount equals or exceeds \$200,000. This bill lowers the threshold amount to \$100,000.

Under current law, Commerce awards grants and makes loans to qualified businesses for economic diversification and brownfield remediation, and to businesses that have been negatively affected by a casino. Commerce also awards grants for specific economic development projects in specific locations in this state. The bill authorizes Commerce to collect a 2 percent origination fee on certain of these grants and loans of \$100,000 or more.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2

**SECTION 1.** 20.143 (1) (gm) of the statutes is amended to read:

1 20.143 (1) (gm) ~~Wisconsin development fund, administration~~ of grants and  
2 loans. All moneys received from origination fees under ~~s.~~ ss. 560.138 (7), 560.139 (4),  
3 and 560.68 (3) for administering the programs under ss. 560.138 and 560.139 and  
4 under subch. V of ch. 560 and for the costs of underwriting grants and loans awarded  
5 under ss. 560.138 and 560.139 and under subch. V of ch. 560.

6 SECTION 2. 560.138 (7) of the statutes is created to read:

7 560.138 (7) The department may charge the recipient of a grant or loan under  
8 this section an origination fee of not more than 2 percent of the grant or loan amount  
9 if the grant or loan equals or exceeds \$100,000. The department shall deposit all  
10 origination fees collected under this subsection into the appropriation account under  
11 s. 20.143 (1) (gm).

12 SECTION 3. 560.139 (4) of the statutes is created to read:

13 560.139 (4) ORIGINATION FEE. The department may charge the recipient of a  
14 grant or loan under sub. (1) (a), (2), or (3) an origination fee of not more than 2 percent  
15 of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The  
16 department shall deposit all origination fees collected under this subsection into the  
17 appropriation account under s. 20.143 (1) (gm).

18 SECTION 4. 560.68 (3) of the statutes is amended to read:

19 560.68 (3) The department may charge a grant or loan recipient an origination  
20 fee of not more than 2% of the grant or loan amount if the grant or loan equals or  
21 exceeds ~~\$200,000~~ \$100,000. The department shall deposit all origination fees  
22 collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

23 (END)





ln: 1/30/09  
**State of Wisconsin**  
**2009 - 2010 LEGISLATURE**

4  
LRB-0276/3  
CTS:jld&wlj:md

DOA:.....Weidner, BB0017 - Loan origination fee expansion

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

(note)

✓  
1 AN ACT ...; relating to: the budget. ✓

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**COMMERCE AND ECONOMIC DEVELOPMENT**

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Currently, the Department of Commerce (Commerce) may charge a recipient of a grant or loan from the Wisconsin development fund a 2 percent origination fee if the grant or loan amount equals or exceeds \$200,000. This bill lowers the threshold amount to \$100,000.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2      **SECTION 1.** 20.143 (1) (gm) of the statutes is amended to read:

560.305 (2) <sup>score</sup>

and from transfer

Fees under s. 560.205 (3) (e)

20.143 (1) (gm) ~~Wisconsin development fund, administration~~ Administration of grants and loans. All moneys received from origination fees under s. ss. 560.138 (7), 560.139 (4), and 560.68 (3) for administering the programs under ss. 560.138 and 560.139 and under subch. V of ch. 560 and for the costs of underwriting grants and loans awarded under ss. 560.138 and 560.139 and under subch. V of ch. 560.

SECTION 2. 560.138 (7) of the statutes is created to read:

560.138 (7) The department may charge the recipient of a grant or loan under this section an origination fee of not more than 2 percent of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The department shall deposit all origination fees collected under this subsection into the appropriation account under s. 20.143 (1) (gm).

SECTION 3. 560.139 (4) of the statutes is created to read:

560.139 (4) ORIGINATION FEE. The department may charge the recipient of a grant or loan under sub. (1) (a), (2), or (3) an origination fee of not more than 2 percent of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The department shall deposit all origination fees collected under this subsection into the appropriation account under s. 20.143 (1) (gm).

SECTION 4. 560.68 (3) of the statutes is amended to read:

560.68 (3) The department may charge a grant or loan recipient an origination fee of not more than 2% of the grant or loan amount if the grant or loan equals or exceeds \$200,000 \$100,000. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

(END)

d-note  
↓

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0276/4dn

CTS: ^:...

date

jld

This draft reconciles ✓ LRB-0276/3, LRB-0252/P6, and LRB-1578/P3. ✓ LRB-0276/4, LRB-0252/P6, and LRB-1578/P3 should all continue to appear in the compiled bill.

**2009-2010 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0276/4ins

CTS:.....

1

**Insert 2-5:**

~~\*~~

\*\*\*NOTE: This is reconciled s. 20.143 (1) (gm)✓. This section has been affected by drafts with the following LRB numbers: LRB-1578/P3 and LRB-0252/P6.

LRB-0276/3,

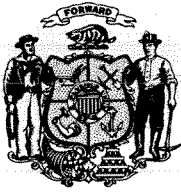
**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0276/4dn  
CTS:jld:jf

January 30, 2009

This draft reconciles LRB-0276/3, LRB-0252/P6, and LRB-1578/P3. LRB-0276, LRB-0252, and LRB-1578 should all continue to appear in the compiled bill.

Christopher T. Sundberg  
Legislative Attorney  
Phone: (608) 266-9739  
E-mail:  
[christopher.sundberg@legis.wisconsin.gov](mailto:christopher.sundberg@legis.wisconsin.gov)



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0276/4  
CTS:jld&wlj:jf

DOA:.....Weidner, BB0017 - Loan origination fee expansion

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**  
**COMMERCE**

Currently, the Department of Commerce (Commerce) may charge a recipient of a grant or loan from the Wisconsin development fund a 2 percent origination fee if the grant or loan amount equals or exceeds \$200,000. This bill lowers the threshold amount to \$100,000.

Under current law, Commerce awards grants and makes loans to qualified businesses for economic diversification and brownfield remediation, and to businesses that have been negatively affected by a casino. Commerce also awards grants for specific economic development projects in specific locations in this state. The bill authorizes Commerce to collect a 2 percent origination fee on certain of these grants and loans of \$100,000 or more.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 20.143 (1) (gm) of the statutes is amended to read:

1           20.143 (1) (gm) ~~Wisconsin development fund, administration~~ Administration  
2    of grants and loans. All moneys received from origination fees under ~~s. ss. 560.138~~  
3    (7), 560.139 (4), 560.305 (2), and 560.68 (3) and from transfer fees under s. 560.205  
4    (3) (e) for administering the programs under ss. 560.138, 560.139, and 560.304 and  
5    under subch. V of ch. 560 and for the costs of underwriting grants and loans awarded  
6    under ss. 560.138, 560.139, and 560.304 and under subch. V of ch. 560.

      \*\*\*NOTE: This is reconciled s. 20.143 (1) (gm). This section has been affected by  
drafts with the following LRB numbers: LRB-0276/3, LRB-1578/P3, and LRB-0252/P6.

7           **SECTION 2.** 560.138 (7) of the statutes is created to read:

8           560.138 (7) The department may charge the recipient of a grant or loan under  
9    this section an origination fee of not more than 2 percent of the grant or loan amount  
10   if the grant or loan equals or exceeds \$100,000. The department shall deposit all  
11   origination fees collected under this subsection into the appropriation account under  
12   s. 20.143 (1) (gm).

13          **SECTION 3.** 560.139 (4) of the statutes is created to read:

14          560.139 (4) ORIGINATION FEE. The department may charge the recipient of a  
15   grant or loan under sub. (1) (a), (2), or (3) an origination fee of not more than 2 percent  
16   of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The  
17   department shall deposit all origination fees collected under this subsection into the  
18   appropriation account under s. 20.143 (1) (gm).

19          **SECTION 4.** 560.68 (3) of the statutes is amended to read:

20          560.68 (3) The department may charge a grant or loan recipient an origination  
21   fee of not more than 2% of the grant or loan amount if the grant or loan equals or

1 exceeds ~~\$200,000~~ \$100,000. The department shall deposit all origination fees  
2 collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

3 (END)